

## **EXHIBIT 3**

**Redacted Version of  
Document Sought to be  
Sealed**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

- - -

CHASOM BROWN, WILLIAM : Case No.  
BYATT, JEREMY DAVIS, :  
CHRISTOPHER CASTILLO : 5:20-cv-03664-  
and MONIQUE TRUJILLO, : LHK  
individually and :  
on behalf of all other :  
similarly situated, : CONFIDENTIAL

Plaintiffs, :

v. :

GOOGLE, LLC, :

Defendant. :

- - -

Wednesday, June 16, 2021

- - -

Videotaped 30(b)(6) deposition of  
GLENN BERNTSON held pursuant to notice,  
beginning at 10:27 AM, on the above date,  
and recorded stenographically by  
Constance S. Kent, a Certified Court  
Reporter, Registered Professional  
Reporter and Notary Public.

\* \* \*

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Adam Depew, Video Specialist

Noah Fox, Trial Technician

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## I N D E X

Testimony of: GLENN BERTSON

By Mr Mao 9

By Mr Broome 372

By Mr Mao 378

## E X H I B I T S

NO DESCRIPTION PAGE

Exhibit 1 Plaintiff's Notice of 10  
30(b)(6) DepositionExhibit 2 Confidential-Google 15  
Display Server forby [REDACTED],  
Bates

GOOG-BRWN-000029458

Exhibit 3 Highly 107

Confidential-Documents

Entitled Fantastic

Identifiers and Where to

Find Them, Bates

GOOG-BRWN- 00078278

through 78385

Exhibit 4 Confidential-Documents 124

entitled [REDACTED], Bates

GOOG-BRWN- 00027305

through 27313

Exhibit 5 Confidential-Documents, 193

http://gc [REDACTED] -

coverage-ratio,

GOOG-BRWN-00026161

through 26168

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NO	DESCRIPTION	PAGE
Exhibit 6	Highly Confidential- Document entitled Biscotti Identifiers, Bates GOOG-BRWN-00078361 through 78363	222
Exhibit 7	Highly Confidential- Document entitled GFP Cookies, Bates GOOG-BRWN-00078370 through 78371	258
Exhibit 8	Confidential-Documents entitled Logs Sources and Access Types, Bates GOOG-BRWN-00029445 through 29453	302
Exhibit 9	Confidential-Documents entitled Chrome Logs, Bates GOOG-BRWN- 00029381 through 29385	312
Exhibit 10	Highly Confidential- Document entitled Unified ID Linkage Service, Bates GOOG-BRWN-00078389 through 78390	335
Exhibit 11	Confidential-Documents entitled Google Analytics, Backend Core Processing Pipelines, GOOG-BRWN- 00078439 through 78452	350
Exhibit 12	Documents reviewed by Mr Bertson in preparation for deposition (not attached)	356
Exhibit 13	Bertson Fact Sheet (not attached)	357

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<p>1 NO. DESCRIPTION PAGE</p> <p>2 Exhibit 14 Documents reviewed by 365</p> <p>3 Mr. Berntson (not</p> <p>4 attached)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1 - - -</p> <p>2 DEPOSITION SUPPORT INDEX</p> <p>3 - - -</p> <p>4</p> <p>5 Direction to Witness Not to Answer</p> <p>6 Page Line Page Line Page Line</p> <p>7 None</p> <p>8</p> <p>9</p> <p>10 Request for Production of Documents</p> <p>11 Page Line Page Line Page Line</p> <p>12 None</p> <p>13</p> <p>14</p> <p>15 Stipulations</p> <p>16 Page Line Page Line Page Line</p> <p>17 None</p> <p>18</p> <p>19</p> <p>20 Question Marked</p> <p>21 Page Line Page Line Page Line</p> <p>22 None</p> <p>23</p> <p>24</p>
Page 8	Page 9
<p>1 THE VIDEOGRAPHER: We are</p> <p>2 now on the record.</p> <p>3 This begins videotape No. 1</p> <p>4 in the deposition of Glenn</p> <p>5 Berntson in the matter of Chasom</p> <p>6 Brown, et al., versus Google, LLC.</p> <p>7 Today is June 16th, 2021,</p> <p>8 and the time is 10:27 AM. This</p> <p>9 deposition is being taken at a</p> <p>10 remote location.</p> <p>11 The videographer is Adam</p> <p>12 Depew of Magna Legal Services and</p> <p>13 the court reporter is Connie Kent</p> <p>14 of Magna Legal Services.</p> <p>15 All counsel present will be</p> <p>16 noted on the stenographer's</p> <p>17 record.</p> <p>18 Will the court reporter</p> <p>19 please swear in the witness.</p> <p>20 GLENN BERNTSON, having been</p> <p>21 first duly sworn, was examined and</p> <p>22 testified as follows:</p> <p>23 MR. BROOME: Hey, Mark,</p> <p>24 actually, before you get started</p>	<p>1 just a couple housekeeping items.</p> <p>2 One, as we noted, you know,</p> <p>3 Google generally objects to using</p> <p>4 Zoom due to security concerns, and</p> <p>5 also Google objects to using non-</p> <p>6 Google platforms for sharing</p> <p>7 documents for the same reason,</p> <p>8 particularly for sharing Google</p> <p>9 confidential business information</p> <p>10 and so we'd just like to note</p> <p>11 those objections on the record and</p> <p>12 request that going forward we use</p> <p>13 non-Zoom platforms and -- and</p> <p>14 Google Drive for sharing</p> <p>15 documents.</p> <p>16 And then finally we'll</p> <p>17 designate this transcript</p> <p>18 confidential.</p> <p>19 MR. MAO: Thank you. We'll</p> <p>20 take those under consideration.</p> <p>21 - - -</p> <p>22 EXAMINATION</p> <p>23 - - -</p> <p>24 BY MR. MAO:</p>

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1 they can use that STK to get ads from Ad  
2 Manager that are then displayed in their  
3 site.

4 When the Ad Manager STK is  
5 running inside Chrome, it has access to  
6 properties that Chrome makes available to  
7 code running on pages, including Ad-ID.

8 Q. Does the Ad-ID generally  
9 pass as part of an ad request?

10 A. If it is available.

11 Q. On a -- on a browser?

12 A. Yeah, if your -- if a Chrome  
13 browser is running on your Windows  
14 desktop, there's no Ad-ID, so it's not  
15 passed because it's not available.

16 Q. Oh. But if it's on my  
17 mobile device, then it's available is --  
18 is the distinction you're making?

19 A. Yeah.

20 Q. I see.

21 So in terms of this -- the,  
22 you know, just before we were looking at  
23 Exhibit No. 2 and we were talking about  
24 the front end of -- of Google for ad

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1 Q. Right. So as part of a  
2 mobile display ad request, when does Ad  
3 Manager actually receive the Ad-ID and  
4 then how?

5 A. Okay. So it's the STK  
6 running client side that will collect the  
7 various signals that are required to  
8 serve an ad, and if Ad-ID is available,  
9 they'll collect that, if Biscotti is  
10 available, that will be sent on the ad  
11 request as well.

12 So it's not the -- the  
13 mobile device that's doing it, it's the  
14 STK running in the mobile device, and it  
15 could be in the context of a web page in  
16 Chrome and it could be in the context of  
17 an app that is integrated another Google  
18 STK.

19 The ad request that it sent  
20 to Google will contain a number of  
21 different parameters, including who is  
22 the publisher, you know, what is the name  
23 of the app or the URL of the website they  
24 want to serve an ad into and whatever IDs

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1 requests, at -- at what point within this  
2 initial request does a mobile device ask  
3 for the Ad-ID? I'm sorry, when does --  
4 when does the mobile device actually pass  
5 the Ad-ID to the Ad Manager for purposes  
6 of serving that? And -- and let me break  
7 it down a little bit, be more specific.

8 Is it part of this ad request or is it a  
9 separate process that's running outside  
10 of this -- this request? Does that make  
11 sense? Because, you know, the request to  
12 me at least, it's -- it's part of the --  
13 the load, right? Is there another thing  
14 that says -- another process that says,  
15 hey, you know, I am Ad-ID 123, serve me  
16 an app?

17 MR. BROOME: Object to the  
18 form.

19 BY MR. MAO:

20 Q. That's my question.

21 A. I don't actually understand  
22 a question from that. That was a long  
23 statement with a question mark at the  
24 end. I don't know how to respond.

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1 are available.

2 A thing that's really  
3 important to note, though, is we've  
4 designed our systems so that none of our  
5 ad-serving logic has direct access to an  
6 ID. And you recall we talked about a  
7 request coming into Google, it hits GFE,  
8 and then it goes to GWS and then it goes  
9 to [REDACTED]

10 There's a part of [REDACTED] called  
11 [REDACTED] and it's  
12 one of the very first bits of code that  
13 runs inside [REDACTED]. And what it does is it  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]

22 And we designed this system  
23 because we have a number of internal  
24 policies at Google that say you can't

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1 reidentify users, you can't combine  
2 logged-in users and non-logged-in users,  
3 and that goes with what we call a data  
4 minimization philosophy that we design  
5 our systems very explicitly to make  
6 available only the information that's  
7 necessary to run the business, because at  
8 the end of the day, we believe it's  
9 important to protect user privacy.

10 One of the things that [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]

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1 in here called [REDACTED] is a  
2 code name for the logic that runs inside  
3 [REDACTED]. I'd have to look up --

4 Q. Got it. Yeah, I dropped it  
5 in. It was going to be Exhibit No. 4  
6 actually. Yeah, I dropped it in there  
7 for you.

8 Sorry. Is that what you  
9 were going to say about [REDACTED]?

10 A. Yeah. [REDACTED] is the guts  
11 of [REDACTED].

12 Q. I see. So when did [REDACTED]  
13 actually roll out?

14 A. I don't know what you mean  
15 by "roll out."

16 Q. Sorry. Because -- because  
17 if you look at Exhibit No. 4, and we'll  
18 just introduce Exhibit No. 4, which is --  
19 starts with 27305. You can see that in  
20 there?

21 (Exhibit No. 4,  
22 Confidential-Documents entitled  
23 [REDACTED], Bates GOOG-BRWN-  
24 00027305 through 27313, was marked

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1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED] And in this case  
5 of Android, we're only using the Biscotti  
6 ID in the particular case that I just  
7 described.

8 Q. Got it.

9 So then let's stick with  
10 [REDACTED] (sic) and did I say it right, is  
11 it [REDACTED] --

12 A. Uh-huh.

13 Q. -- and then [REDACTED]?

14 A. [REDACTED] is the  
15 full name.

16 Q. Oh, [REDACTED] Okay. Super  
17 helpful.

18 A. Yeah, [REDACTED].

19 Q. Now I recognize it. Okay.  
20 So -- so if the [REDACTED] does not --

21 A. Could I -- could I also  
22 note --

23 Q. Sure.

24 A. -- that there's a document

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1 for identification.)

2 BY MR. MAO:

3 Q. If you look at the top it  
4 says:

5 "This page contains the  
6 original [REDACTED] design. For up-to-date  
7 information on current [REDACTED]  
8 components, please refer to."

9 So the reason I was asking  
10 is because I don't know if [REDACTED] is a  
11 current project, a project in process --

12 A. Yeah.

13 Q. -- or if it's an old --

14 A. Yeah.

15 Q. -- project in which it was  
16 documented but then modified?

17 A. Yeah. The very first  
18 version of [REDACTED] I believe rolled out  
19 in 2017 -- 2016. It was 2016 or 2017.  
20 And it has been in active development  
21 ever since then. It is -- it is a  
22 central part of Display Ad serving.  
23 Actively in use.

24 Q. Got it.

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1 about [REDACTED], did you actually  
2 prepare for the topic of [REDACTED]  
3 before you came to testify here today?

4 A. It was a topic that was  
5 covered briefly in one of my discussions.

6 Q. Is that topic for Chris Law?  
7 Sorry, Chris -- Chris Liao or is that a  
8 topic in which you are prepared to  
9 discuss in terms of how that is actually  
10 formed?

11 MR. BROOME: Objection to  
12 form.

13 THE WITNESS: I believe -- I  
14 believe I answered the question as  
15 it relates to how [REDACTED]  
16 works, what IDs are used and the  
17 use cases that it supports. I  
18 don't know what additional  
19 information you're looking for as  
20 it relates to [REDACTED].

21 MR. MAO: I have no further  
22 follow-up. Again, I reserve my  
23 rights.

24 MR. BROOME: Okay. All

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1 right. Well, thank you,  
2 everybody. Thank you, Connie.  
3 Our condolences. And Adam, Mark,  
4 thank you. And see you all next  
5 time.

6 THE VIDEOGRAPHER: Let me  
7 take us off the record. Hold on.

8 The time is now 7:34 PM, and  
9 we are going off the record.

10 (Witness excused.)

11 (Deposition concluded at  
12 approximately 7:34 PM.)  
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# 1 CERTIFICATE

2  
3 I HEREBY CERTIFY that the  
4 witness was duly sworn by me and that the  
5 within deposition is a true and accurate  
6 transcript of the stenographic notes of  
7 the testimony given by the witness.

8 It was requested before  
9 completion of the deposition that the  
10 witness, GLENN BERNTSON, have the  
11 opportunity to read and sign the  
12 deposition transcript.

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Certified Court Reporter  
Registered Professional Reporter  
Certified LiveNote Reporter  
and Notary Public  
Dated: June 20, 2021



(The foregoing certification  
of this transcript does not apply to any  
reproduction of the same by any means,  
unless under the direct control and/or  
supervision of the certifying reporter.)

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# 1 INSTRUCTIONS TO WITNESS

2  
3 Please read your deposition  
4 over carefully and make any necessary  
5 corrections. You should state the reason  
6 in the appropriate space on the errata  
7 sheet for any corrections that are made.

8 After doing so, please sign  
9 the errata sheet and date it.

10 You are signing same subject  
11 to the changes you have noted on the  
12 errata sheet, which will be attached to  
13 your deposition.

14 It is imperative that you  
15 return the original errata sheet to the  
16 deposing attorney within thirty (30) days  
17 of receipt of the deposition transcript  
18 by you. If you fail to do so, the  
19 deposition transcript may be deemed to be  
20 accurate and may be used in court.  
21  
22  
23  
24

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## ERRATA SHEET FOR THE TRANSCRIPT OF

Case: Calhoun, et al. v. Google LLC

Deposition Date: June 11, 2021

Deponent: David Monsees

	<u>Pg. and Ln.</u>	<u>Now reads</u>	<u>Should read</u>	<u>Reason</u>
1	27:21;			
2	174:12, 17;			
3	175:1;			
4	178:17;			
5	181:5;			
6	244:4, 15, 19, 21;			
7	253:14;			
8	309:22	STKs	SDKs	transcription error
9	28:11, 15;			
10	37:5;			
11	38:8;			
12	88:6, 10, 15;			
13	97:19;			
14	102:5;			
15	105:8;			
16	117:22, 23;			
17	118:1, 4;			
18	120:5, 14, 18;			
19	131:7, 8;	STK	SDK	transcription error

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cont	<u>Pg. and Ln.</u>	<u>Now reads</u>	<u>Should read</u>	<u>Reason</u>
1	63:2, 3, 8, 10;			
2	65:24;			
3	66:2;			
4	68:24;			
5	69:2;			
6	71:13, 15;			
7	121:9, 10, 13;			
8	126:5, 15;			
9	243:4, 7;			
10	294:3, 4;			
11	298:20, 23;			
12	299:2, 4, 5;			
13	300:23;			
14	331:1, 3			transcription error
15	88:6	A, the	The	transcription error
16	107:10	00078278	00078378	transcription error
17	109:12	up-to-date	out-of-date	misspoke
18	157:19	If Biscotti	A Biscotti	transcription error
19	166:11;			
20	202:23;	conversation		
21	203:3, 15	s	conversions	transcription error
22	204:6	conversation	conversion	transcription error

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cont	<u>Pg. and Ln.</u>	<u>Now reads</u>	<u>Should read</u>	<u>Reason</u>
1	158:4;			
2	172:19, 22;			
3	174:20, 23;			
4	175:6;			
5	176:3, 8, 9, 12, 18, 20,			
6	23;			
7	226:5;			
8	228:5;			
9	245:1, 2, 4, 13;			
10	254:21, 22;			
11	255:3, 8, 13, 15;			
12	256:19;			
13	274:7, 8, 10, 13;			
14	276:13;			
15	277:19;			transcription error
16	310:10	STK	SDK	transcription error
17	549, 11, 12, 14, 18, 19,			
18	23, 24;			
19	55:6, 10, 17, 56:3, 7, 9;			
20	58:3, 9;			
21	59:3, 5, 10, 61:4, 11,			
22	12;			
23	62:2, 8, 11, 13, 16, 17,			transcription error
24	22;			transcription error

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Signature of Deponent

7/27/2021

Date

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## ACKNOWLEDGMENT OF DEPONENT

I, Glenn Berntson, do  
hereby certify that I have read the  
foregoing pages, 1 - 396, and that the  
same is a correct transcription of the  
answers given by me to the questions  
therein propounded, except for the  
corrections or changes in form or  
substance, if any, noted in the enclosed  
Errata Sheet.

7/27/2021

GLENN BERNTSON                      DATE

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## LAWYER'S NOTES

## PAGE LINE

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